

1 MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
2 ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
3 MORRISON & FOERSTER LLP
425 Market Street
4 San Francisco, California 94105-2482
Telephone: 415.268.7000
5 Facsimile: 415.268.7522

6 KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsflp.com
7 HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsflp.com
8 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
9 Washington DC 20005
Telephone: 202.237.2727
10 Facsimile: 202.237.6131

11 WILLIAM CARMODY (*Pro Hac Vice*)
bcarmody@susmangodfrey.com
12 SHAWN RABIN (*Pro Hac Vice*)
srabin@SusmanGodfrey.com
13 SUSMAN GODFREY
1301 Avenue of the Americas, 32nd Floor
14 New York, NY 10019-6023
Telephone: 212.336.8330
15 Facsimile: 212.336.8340

16 Attorneys for Defendants
UBER TECHNOLOGIES, INC.
17 and OTTOMOTTO LLC

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 WAYMO LLC,
22 Plaintiff,
23 v.
24 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,
25 Defendants.
26

Case No. 3:17-cv-00939-WHA

**DECLARATION OF
MICHELLE YANG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
THEIR SUR-REPLY TO WAYMO'S
MOTION TO COMPEL UBER
SOURCE CODE**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Defendants' Administrative Motion to File Under Seal Their Sur-Reply to Waymo's
6 Motion To Compel Uber Source Code.

7 2. I have reviewed the following documents and confirmed that only the portions
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Sur-Reply to Waymo's Motion to Compel ("Opposition")	Highlighted Portions	Plaintiff (Green)
Declaration of Don Burnette	Highlighted Portions	Defendants (Blue) Plaintiff (Green)
Exhibits A-B to the Declaration of Don Burnette	Entire Documents	Defendants Plaintiff
Exhibit 1 to the Declaration of Esther Chang	Highlighted Portions	Defendants (Blue) Plaintiff (Green)
Exhibit 2 to the Declaration of Esther Chang	Entire Document	Defendants (Blue) Plaintiff (entire document)

21 3. The blue-highlighted portions of the Declaration of Don Burnette and Exhibits 1
22 and 2 to the Declaration of Esther Chang contain highly confidential information regarding
23 Ottomotto source code. Certain blue-highlighted portions of the Declaration of Don Burnette as
24 well as the entireties of Exhibits A and B to the Declaration of Don Burnette contain highly
25 confidential information about technical information considered by an Ottomotto software
26 engineer. Disclosure of this information could allow competitors to obtain a competitive
27 advantage over Defendants by understanding this technical information.

